

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

In re

Nigel Anthony Russell and
Diane Russell,

Case No. 02-14638-cec
Chapter 7

Debtors.

Nigel Anthony Russell,

Plaintiff,

- against -

Adv. Pro. Case No. 06-1502-cec

Chase Bank USA, NA,

Defendant.

**REPORT OF CONFERENCE PURSUANT TO RULE 26(F) OF
THE FEDERAL RULES OF CIVIL PROCEDURE**

Plaintiff, Nigel Anthony Russell and Defendant, Chase Bank USA, NA., through their respective counsel, hereby advise the Court that they conferred pursuant to Rule 26(f) of the Federal Rules of Civil Procedure, as made applicable by Rule 7026 of the Federal Rules of Bankruptcy Procedure, and file this report of that conference.

The parties have agreed that there be no changes to the form or requirement for Rule 26(a) disclosures, and that the Rule 26(a) disclosures shall be made within thirty (30) calendar days of the date of entry of this Report.

The parties have discussed settlement and, at this time, do not desire the Court's assistance with regard to settlement.

The parties have agreed to the following schedule:

- 1) The parties shall serve discovery demands on or before January 18, 2008.
- 2) Depositions of all parties and non-party fact witnesses shall be held on or before May 31, 2008 at a place and time to be arranged by the parties;

- 3) The party bearing the burden of proof of any area for which they seek to submit expert testimony shall make its disclosure of expert testimony conforming to the requirements of Rule 26(a)(2)(B), Fed.R.Civ.P., by July 30, 2008;
- 4) Any rebuttal expert testimony shall be disclosed by September 30, 2008;
- 5) Depositions of the parties' expert witnesses, if any, will begin on October 30, 2008 and shall be concluded by November 30, 2008;
- 6) No dispositive motions shall be filed by either party until all fact discovery is complete.

Dated: December 17, 2007

By: s/ Jay S. Fleischman

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Dated: December 17, 2007

SIMMONS, JANNACE & STAGG, L.L.P.

By: s/ Jacqueline M. Della Chiesa

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SO ORDERED

HON. CARLA E. CRAIG